

MARASHI LEGAL

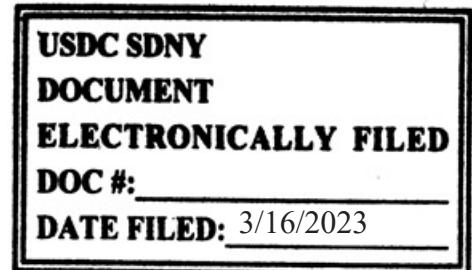
CIVIL RIGHTS LAW + POLICY

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Via ECF

Honorable John P. Cronan
United States District Court
Southern District of New York
500 Pearl Street, Room 1320
New York, NY 10007
(212) 805-0218
CronanNYSDChambers@nysd.uscourts.gov

March 15, 2023



Re: Phase One Network, Inc. v. Ye, Alex Klein, Kano Computing Limited, et al. (22-cv-9511)

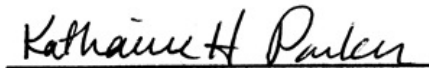
Dear Judge Cronan:

Your Honor, this firm represents Ye, GOOD Music, and GOOD II ("Ye Defendants") named as Defendants in this above referenced matter. I am writing this brief letter motion to respectfully request that the Court please Order the Clerk's office to vacate the two Certificates of Default issued by the Clerk's office (DKT # 47) On March 8, 2023, and on January 12, 2023 (DKT #30) as to Defendant Ye and GOOD II, respectively. Plaintiff Phase One Network, Inc. consents to Ye Defendants' request to Vacate the aforementioned two Certificates of Default.

Parties have reached an agreement and executed the attached to this letter Stipulation whereby Plaintiff consents to abandon any default arguments and lift filing of certificates of default, and Defendants agree to waive objections/defenses based on service of process and personal jurisdiction.

Thank you for your time and consideration.

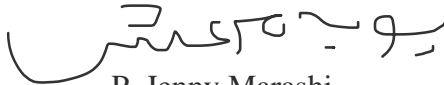
APPLICATION GRANTED



Hon. Katharine H. Parker, U.S.M.J. 3/16/2023

As the Plaintiff has consented to the Defendants' motion to lift the Certificates of Default and because of the Second Circuit's "strong preference for resolving disputes on the merits" (*New York v. Green*, 420 F.3d 99, 104), the Defendants' motion to vacate two Certificates of Default is GRANTED.

Respectfully Submitted-



P. Jenny Marashi
Marashi Legal
Law Office of Poupa Jenny Marashi
930 Grand Concourse
Attorney for Ye Defendants

cc: All Counsel of Record (via ECF and email)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
PHASE ONE NETWORK, INC.,

Case No.: 22-cv-9511

Plaintiff,

STIPULATION

- against -

**YE f/k/a KANYE WEST d/b/a “Yeezy Tech”, ALEX KLEIN,
KANO COMPUTING LIMITED, STEMLAYER, LTD,
GETTING OUT OUR DREAMS II, LLC, G.O.O.D. MUSIC,
DEF JAM RECORDINGS, and UMG RECORDINGS, INC.,**

Defendants.
----- X

WHEREAS, on November 7, 2022, Plaintiff Phase One Network, Inc. (“Plaintiff”) filed a Complaint (the “Complaint”) against, among others, Defendants Ye f/k/a Kanye West d/b/a “Yeezy Tech” (“West”), Getting Out Our Dreams II, LLC (“GOOD II”), and Getting Out Our Dreams, Inc. a/k/a G.O.O.D. Music (“GOOD Music”) (West, GOOD II and GOOD Music collectively referred to as “Ye Defendants”);

WHEREAS, after filing a Proposed Certificate of Default as to GOOD II and a declaration in support thereof, the Clerk of Court entered a Certificate of Default as to GOOD II on January 12, 2023 [Dkt. No. 30];

WHEREAS, after filing a Proposed Certificate of Default as to Ye and a declaration in support thereof, the Clerk of Court entered a Certificate of Default as to Ye on March 9, 2023 [Dkt. No. 47];

WHEREAS, Plaintiff filed an affidavit of service of the Summons and Complaint as to GOOD Music on March 1, 2023 [Dkt. No. 43];

WHEREAS, the Ye Defendants are now represented in this and filed a notice of appearance for Ye on March 9, 2023, and for GOOD Music and GOOD II on March 14, 2023;

WHEREAS, despite any potential disputes regarding service, the Ye Defendants have agreed to move forward and abandon any arguments regarding service of process in the interest of judicial economy,

WHEREAS, Plaintiff has agreed to lift the filing of the certificates of default and to extend the Ye Defendants' time to answer or otherwise respond to the Complaint to April 17, 2023, upon the terms and conditions set forth herein:

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for the parties as follows:

1. The time for the Ye Defendants to answer or otherwise respond to the Complaint shall be extended to April 17, 2023;
2. The Ye Defendants waive any objections to, or defenses based upon, service of process and personal jurisdiction;
3. A facsimile or scanned copy of this stipulation containing the signatures of counsel for the parties shall be deemed an original.


Dated: New York, New York
March 14, 2023

ADELMAN MATZ P.C.

By: 

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